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Attorneys for Defendant  
HANJIN SHIPPING COMPANY, LTD.,  
erroneously named as Hanjin Lines

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES HAYNES,

Plaintiff,

vs.

HANJIN LINES and DOES 1-20,

Defendant(s).

Case No.: C 06 00395 JSW

**STIPULATION AND ~~PROPOSED~~  
ORDER DISMISSING ACTION  
WITHOUT PREJUDICE**

WHEREAS plaintiff James Haynes ("Plaintiff") filed this action for negligence against defendant Hanjin Shipping Company, Ltd., erroneously named as Hanjin Lines ("Hanjin");

WHEREAS Plaintiff alleged in his Complaint that Hanjin was the owner, operator, charterer or inspector of a vessel on which Plaintiff was injured on or about October 24, 2003;

WHEREAS Plaintiff alleged in his Complaint that on or about October 24, 2003, Hanjin was in control of a vessel on which he was injured, the vessel's gear, appliances, and component parts;

WHEREAS the parties agree that the vessel on which Plaintiff alleges he was injured on or about October 24, 2003 was the TRADE FOISON;

WHEREAS the parties agree that Hanjin was not the not the owner, operator, or owner *pro*

1 *hac vice* of the TRADE FOISON on or about October 24, 2003, but was rather the slot charterer of  
2 the TRADE FOISON;

3 WHEREAS the parties agree that Hanjin is not a proper defendant to this action under the  
4 applicable provisions of the federal Longshore & Harbor Workers Compensation Act, 33 U.S.C.  
5 §§901 et seq.;

6 WHEREAS the parties agree that the action be dismissed without prejudice;

7 THE PARTIES HEREBY STIPULATE that the action be dismissed without prejudice in  
8 its entirety.

9 Dated: April 5, 2006

EMARD DANOFF PORT TAMULSKI & PAETZOLD LLP

Andrew I. Port  
Katharine Essick

12 By \_\_\_\_\_ /s/

13 Katharine Essick  
14 Attorneys for Defendant HANJIN SHIPPING COMPANY, LTD.,  
erroneously named as Hanjin Lines

16 Dated: April 10, 2006

WELTIN LAW OFFICE, P.C.

18 By \_\_\_\_\_ /s/

19 Patrick B. Streb  
Attorneys for Plaintiff JAMES HAYNES

21 The action *James Haynes v. Hanjin Lines, et al.*, Case No. C 06 00395 JSW, is hereby  
22 dismissed without prejudice in its entirety.

23 IT IS SO ORDERED.

24 Dated: April 12  
25 ~~January~~ \_\_\_\_\_, 2006

  
Hon. Jeffrey S. White  
Judge, District Court